IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 181 of 2005

Between:

G.Subramanyam Naidu S/o.G.Errama Naidu
R/o.D.No.8/74, Tirupathi Road, Puttur town

and Mandal, Chittoor District.

..... PETITIONER

AND

1. Transmission Corporation of A.P.Limited,

rep by its Managing Director, Vidyut Soudha,

Hyderabad.
2. The Superintending Engineer, Operation,

Southern Power Distribution Company of A.P.
Limited Operation Circle, Tirupathi, Chittoor District.
3. The Divisional Engineer, Operation, Southern Power

Distribution Company of A.P.Limited, Puttur
Town and Mandal, Chittoor District.
4. The Assistant Engineer (Operation), Southern Power

Distribution Company of A.P.Limited,

Puttur Town and Mandal, Chittoor District.

5. The Executive Officer, Kolla Pedda Munemma Specific

Endowment attached to Srisadasiveswara Swamy Temple,

Puttur Town Chittoor District.

R.5 is impleaded as per court order dated 1.2.2005

In W.P. M.P.No.473 of 2005.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ of Mandamus or any other appropriate writ directing the respondents to allow and release domestic electricity service connection to the residential house of the petitioner which is situated in the agricultural fields in Sy.Nos.247/4,248/2 of Govindapalem, Puttur Town and Village, Chittoor District without insisting on the production of No objection Certificate from the Executive Officer of SriSadasiveswara Swamy Temple, Puttur subject to the statutory terms and conditions.

Counsel for the Petitioner: MR.V.VENKATARAMANA

Counsel for the Respondents 1 to 4: SMT.M.VINOBHA DEVI S.C for A.P. Transco

Counsel for the respondent No.5 Mr M.Sreeramulu Reddy

The Court made the following:

ORDER:

The petitioner is a lessee of agricultural land belonging to the first respondent.

2. It is the grievance of the petitioner that the respondents 1 to 4 are not releasing the power supply to a residential house constructed in the agricultural land. The petitioner contends that the respondents 1 to 4 are insisting on obtaining clearance from the 5th respondent for the purpose of extending the power supply.

3. Heard the learned counsel for the petitioner and learned standing counsel for the respondents 1 to 4.

4. It is not in dispute that what was leased to the petitioner was an agricultural land. Even as regards the same, proceedings have been initiated for eviction of the petitioner. By operation of Section 82 of the A.P. Charitable and Hindu Religious Institutions and Endowments Act,1987, the lease in respect of the agricultural lands belonging to the religious endowments and institutions stands terminated. Assuming that the lease in favour of the petitioner is subsisting, and that there is no dispute as to the tenancy in respect of the agricultural lands, the petitioner cannot be permitted to construct house on such lands, much less to seek power supply. In that view of the matter, no exception can be taken to the action of the respondents.

5. Therefore, the Writ petition is dismissed. No costs.

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L.NARASIMHA REDDY,J

Kvrm

To

1. The Managing Director, Transmission Corporation of A.P.Limited, Vidyut Soudha, Hyderabad.
2. The Superintending Engineer, Operation,

Southern Power Distribution Company of A.P.
Limited Operation Circle, Tirupathi, Chittoor District.
3. The Divisional Engineer, Operation, Southern Power

Distribution Company of A.P.Limited, Puttur
Town and Mandal, Chittoor District.
4. The Assistant Engineer (Operation), Southern Power

Distribution Company of A.P.Limited,

Puttur Town and Mandal, Chittoor District.

5. The Executive Officer, Kolla Pedda Munemma Specific Endowment Attached to Sri Sadasiveswara swamy Temple,Puttur Town, Chittoor District.

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